

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

FUEL CELL SYSTEM

the specification of which (check one)

_____ is attached hereto.

X Was filed on October 9, 2003 as United States Application Number
or PCT International Application Number PCT / JP2003 / 012973
and was amended on _____ (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?
P2002 - 306852	Japan	October 22, 2002	Yes	

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date

I HEREBY CLAIM the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents of the law firm of FOLEY & LARDNER to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith:

10	GEORGE C. BECK	Reg. No. 38,072
	STEPHEN A. BENT	Reg. No. 29,768
	DAVID A. BLUMENTHAL	Reg. No. 26,257
	BETH A. BURROUS	Reg. No. 35,087
	ALAN I. CANTOR	Reg. No. 28,163
	WILLIAM T. ELLIS	Reg. No. 26,874
	JOHN J. FELDHAUS	Reg. No. 28,822
	MICHAEL D. KAMINSKI	Reg. No. 32,904
	KENNETH E. KROSIN	Reg. No. 25,735
	JOHNNY A. KUMAR	Reg. No. 34,649
	JACK LAHR	Reg. No. 19,621
	GLENN LAW	Reg. No. 34,371
	PETER G. MACK	Reg. No. 26,001
	STEPHEN B. MAEBIUS	Reg. No. 35,264
	BRIAN J. MC NAMARA	Reg. No. 32,789
	SYBIL MELOY	Reg. No. 22,749
	RICHARD C. PEET	Reg. No. 35,792
	GEORGE E. QUILLIN	Reg. No. 32,792

ANDREW E. RAWLINS	Reg. No. 34,702
BERNHARD D. SAXE	Reg. No. 28,665
CHARLES F. SCHILL	Reg. No. 27,590
RICHARD L. SCHWAAB	Reg. No. 25,479
MICHELE M. SIMKIN	Reg. No. 34,717
HAROLD C. WEGNER	Reg. No. 25,258

and I request that all correspondence be directed to:

RICHARD L. SCHWAAB
FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109

Telephone: (202) 672-5300
 Facsimile: (202) 672-5399

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1-*a*

Name of first inventor	<u>Tetsuo UOZUMI</u>
Residence	<u>Miura-gun, Kanagawa-ken, Japan</u> <i>JRX</i>
Citizenship	<u>Japan</u>
Post Office Address	<u>261-6, Nagae, Hayama-machi, Miura-gun,</u> <u>Kanagawa 240-0113 Japan</u>
Inventor's signature	<u><i>Tetsuo Uozumi</i></u>
Date	<u>6/3 / 2004</u>

Name of second inventor	_____
Residence	_____
Citizenship	_____
Post Office Address	_____
Inventor's signature	_____
Date	_____

10/510103

Atty. Dkt. No. 040302-0408
DT04 Rec'd PCT/PTO 05 OCT 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tetsuo UOZUMI
Title: FUEL CELL SYSTEM
Appl. No.: Unassigned
Filing Date: 10/05/2004
Examiner: Unassigned
Art Unit: Unassigned

STATEMENT UNDER 37 C.F.R. §1.32(c)(3)
DESIGNATING NO MORE THAN TEN
PATENT PRACTITIONERS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §1.32(c)(3), the following ten or fewer patent practitioners named in the Power of Attorney should be recognized by the Office as being of record in the above identified application or patent.

Attorney Name	Registration Number
Glenn Law	34,371
Richard L. Schwaab	25,479

Respectfully submitted,

Date: October 5, 2004

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5300
Facsimile: (202) 672-5399

By _____



Glenn Law
Attorney for Applicant
Registration No. 34,371